

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 08/902,005
Filing Date: 07/29/1997
Inventors: Butler, et al.
Appellant: Microsoft Corporation
Group Art Unit: 2623
Examiner: Tran, Hai V.
Confirmation No.: 9747
Attorney's Docket No.: MS1-119US
Title: PROVIDING ENHANCED CONTENT WITH BROADCAST VIDEO

SUPPLEMENTAL REPLY BRIEF

To: Mail Stop Appeal Brief - Patent
Commissioner for Patents
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Sir:

In response to Examiner's Answer mailed October 20, 2006 in connection with Appellant's Appeal Brief filed February 10, 2006, a Supplemental Reply Brief is submitted. Favorable consideration is respectfully requested.

The Office has withdrawn its rejections under 35 U.S.C. § 101 of claims 15 and 32.

Claims 1-43 and 45-50 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,929,849 to Kikinis in view of WO 96/10888 to Adams.

The Office has mailed a current Examiner's Answer (mailed October 20, 2006) in response to an "Order Returning Undocketed Appeal to Examiner" from the Board of Patent Appeals and Interferences regarding the previous Examiner's Answer (mailed April 19, 2006). This Order directed the Examiner to clarify the use of the Lyons reference (5,623,656) with respect to the rejection of claims 1-43 and 45-50 under § 103. Accordingly, the Examiner has removed the Lyons reference from the section entitled "(8) Evidence Relied Upon" on page 3 of the current Examiner's Answer. It should be noted that the Lyons reference was cited in the section entitled "(8) Evidence Relied Upon" on page 3 of the previous Examiner's Answer, but was not used to support the rejection of any of the claims.

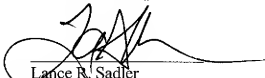
As to the rejection of claims 1-43 and 45-50 under § 103, the Office has restated verbatim the same arguments in the current Examiner's Answer that it made in the previous Examiner's Answer. Therefore, Appellant maintains its position as articulated in its Reply Brief (filed June 5, 2006) and in its Appeal Brief (filed February 10, 2006).

Conclusion

For at least the reasons provided above, it is respectfully submitted that the rejections set forth in the Office Action of August 26, 2005, in connection with the subject application should be reversed. Favorable consideration of this Supplemental Reply Brief is respectfully requested.

Respectfully submitted,

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